

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

QUENTIN WHITE  
a/k/a MICHAEL DOUSE,

Plaintiff,

-against-

**MEMORANDUM & ORDER**  
09-CV-4238 (NGG)

C.O. JANE DOE #1; C.O. JANE DOE #2;  
C.O. JANE DOE #3; C.O. JANE DOE #4;  
C.O. JOHN DOE #5,

Defendants.

NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff Quentin White ("Plaintiff"), currently incarcerated at Groveland Correctional Facility, filed this pro se action pursuant to 42 U.S.C. § 1983 alleging violations of his civil rights. Specifically, Plaintiff alleged that on May 16, 2009, while detained at a jail on Rikers Island, his housing unit was quarantined. Although he was starting to become sick, he wasn't able to receive medical treatment because of the quarantine. "After numerous attempts at trying to go to medical, on May 25, 2009, [he] was rushed to Elmhurst Hospital, 3 days later [he] was moved to Bellevue Medical Center." (Compl. ¶ II).

By Memorandum & Order dated October 20, 2009, the court granted Plaintiff's request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, dismissed the Complaint as to the Department of Correction and its Medical Unit pursuant to 28 U.S.C. § 1915A(b), and directed Plaintiff to file an Amended Complaint identifying the correction officers who delayed or denied him access to the medical clinic or other individuals employed at Rikers Island who denied him adequate medical care. On November 12, 2009, Plaintiff filed an Amended Complaint which identifies the

C/m-prose

defendants as Jane and John Does.

Plaintiff alleges that defendants C.O. Jane Doe #1, C.O. Jane Doe #2, C.O. Jane Doe #3, C.O. Jane Doe #4, and C.O. John Doe #5 delayed or denied his medical care while he was detained at the Anna M. Kross Center (“AMKC”) jail on Rikers Island from May 16, 2009 through May 25, 2009. However, the United States Marshals Service will be unable to serve the Jane Doe and John Doe defendants without further identifying information. As a pro se litigant, Plaintiff is entitled to assistance in identifying these defendants. See Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997) (per curiam). The problem encountered by Plaintiff is a common one, as it is frequently difficult for pro se litigants to identify individual correction officers, especially when they are no longer detained at the facility where the alleged claims arose.

Accordingly, the court directs Corporation Counsel to ascertain the full names and service addresses of the five officers who were allegedly involved in Plaintiff’s delay or denial of access to medical care from May 16, 2009 through May 25, 2009 while detained at the AMKC jail on Rikers Island. Corporation Counsel shall produce the information specified above within 45 days from the date of this Memorandum & Order. Corporation Counsel need not undertake to defend or indemnify these individuals at this juncture, however. This Order merely provides a means by which Plaintiff may name and properly serve the defendants.

Once this information is provided, Plaintiff’s Amended Complaint shall be deemed amended again to reflect the full names of the defendants, summonses shall be issued, and the court shall direct service on the defendants. A copy of this Order, the Amended Complaint, and the in forma pauperis application shall be served on the Corporation Counsel for the City of New York, Special Federal Litigation Division. The case is referred to the Honorable Lois Bloom, United States Magistrate Judge, for pretrial supervision.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken

in good faith and therefore in forma pauperis status is denied for the purpose of any appeal.

Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: Brooklyn, New York  
December 3, 2009

/S/ \_\_\_\_\_  
NICHOLAS G. GARAUFIS  
United States District Judge